

**A DEFINITIVE REPLY TO THE RAMADAN CRESCENT SIGHTING CONTROVERSY AND THE UNITY OF
MUSLIMS IN CONTEMPORARY NIGERIA**

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ABSTRACT:

The commencement of fasting and its termination are always remarkable for differences and misgivings within the rank and file of Muslims in Nigeria. The approach laid down by the Prophet Muhammad ﷺ based on the teachings of the Glorious Qur'an and as adopted by the Sahabah is the focus of this paper. The paper goes further to discuss Muslim unity in Nigeria, the importance of the lunar calendar in Islam, and suggests the way forward. The paper revealed that, ideally, moon sighting for the commencement and breaking of Ramadan fast should not have been a bone of contention among Muslims in Nigeria, if the Sunnah of the Prophet ﷺ, as strictly adopted by the Sahabah, is adhered to. Also, the Muslim world, from the time of Prophet Muhammad ﷺ places a high premium on moon sighting to determine the timing of the beginning and the end of Ramadan which are observed at the same time throughout the Muslim world thereby creating a sense of unity of the Muslim Community globally. However, current trends on the global level show the negative impact of international politics on the fragile unity of the Muslim Community, Nigeria inclusive. The paper observed that there is a need for a serious attempt to find a lasting solution to the problem of differences in the beginning and ending of Ramadan fast, for it may in turn have an adverse effect on the consolidation of Muslim unity in Nigeria.

Key Words: *moon sighting, fasting, Nigeria, Nigeria Supreme Council for Islamic Affairs, National Moon Sighting Committee*

INTRODUCTION

Sighting of the crescent of Ramadan in Nigeria has been causing disunity among Muslims. For instance, the 2014 Ramadan fast commenced across Nigeria on Saturday, June 25, 2014, on a controversial note. But, there were two different directives from the leadership of Nigeria Supreme Council for Islamic Affairs (NSCIA) on the commencement that sparked uproar. The first directive stated that fasting was to start on Sunday, June 29, while the second, which came late around 1:00am, ordered Muslims to begin fasting on Saturday, June 28¹. Unfortunately, many missed it, hence couldn't start fasting until Sunday, June 29, 2014. Why do we have two different directives that led to disaffection among Islamic faithful, was the question on the lips of many adherents of Islamic faith. But the Sultan of Sokoto, Alhaji Abubakar Sa'ad III aptly responded to the matter, which he described as miscommunication. He explained, "We have an understanding among us (leaders of Muslim community in Nigeria) that, once it is 9:00pm (on Friday) and no information about moon being sighted anywhere, we shall conclude our consultations and announce that Sha'aban be counted to 30 days, which was what we did (by announcing that Fasting starts on Sunday). The information that changed the earlier position generally agreed upon came at about 10:00pm when we received the news that the moon had been sighted in Kebbi and Sokoto, we had to start the process afresh which led the committee that had earlier closed process to re-sitting, screening and, thereafter, I asked the Chairman of the National Moon Sighting Committee, Professor Sambo Wali, to brief the press (This was around 1:00 am, when everybody had gone to bed)" ²

Some discerning minds weren't convinced about the reasons given by the Sultan, until they saw the movement of the moon particularly the third and seventh day, which confirmed the latter announcement by the National Moon Sighting Committee. For instance, in an interview conducted by the ENCOMIUM Weekly Nigeria Newspaper³ with a local Islamic scholar that,

"The moon I saw last night (Sunday, June 29), signified that Ramadan is in its third day not second as some people thought. I am convinced that fasting started on Saturday based on the moon I saw last night. The Sultan was right but the mis-communication could have been prevented to avoid speculations it generated".

The Sultan, in a televised statement in the early hour of Sunday, said that "The new month of Shawwal was sighted in different places within Nigeria and therefore tomorrow (Sunday) is the first day of Shawwal equivalent to 27 July 2014," the Sultan said in an announcement aired on the Nigerian Television Authority (NTA). This also generated a lot of controversies, for instance, the Secretary-General of the organisation, Ishaq Oloyede, said that, he was not aware that the moon had been sighted. He added that, "The National Moon-Sighting Committee has not informed us of any credible sighting of the moon. Rather, they said the moon wasn't sighted. The new moon was only born at 11:45 P.M. tonight (Saturday) and it will take several hours for it to be sighted. Is our own sky different? Is our own moon manufactured in Nigeria?"⁴

He therefore, urged Muslims to continue their fast on Sunday and prepare for Eid-Fitr on Monday in line with the verdict of the National Moon-Sighting Committee, (NMC). But Professor Ishaq Akintola, Director, Muslims Right Concern, MURIC, told around 3.00am on Sunday morning that so long as the Sultan has confirmed and announced the sighting of the moon, it signifies the end of the Ramadan fast. And he therefore, urged all the people whose fast would be 28th (Sunday), not to insist on fasting on that day⁵.

Till now, the commencement and termination of Ramadan fast in Nigeria have always generated a lot of controversies. In 2008, some Muslims ignored the announcement of the Sultan to start their fast on different days. This led to the commencement of the fast in different days and generated heated debate. With the help of Allah and collective efforts of Nigerian Muslim community, the Muslims re-united for the 2009 and 2010 Ramadan. The uniformity recorded was not limited to Nigeria alone as many other Arab countries, including Saudi Arabia and Muslims in the western world began and terminated their fasting on the same day. Similar success was recorded in the years 2011-2013 until 2014⁶.

In fact, the disparity in the year 2014 fast is global, not limited to Nigeria, and this is based on their different geographical locations which determine the sighting of the moon. For instance, fasting started in Egypt, Kuwait, Jordan, United Arab Emirates, Indonesia, South Korea, Palestine and Saudi Arabia, the birthplace of Islam, on Sunday, June 29. While countries like Lebanon, Turkey, Belgium, Russia, Italy and several European countries and North America announced Saturday, June 28, as the first day of Ramadan⁷. However, many scholars have done a lot of work to address this problem⁸. Many scholars have paid due attention to the proper understanding of the verses of the Qur'an and Ahadith relating to this issue⁹. Some scholars have attempted to proffer solutions to this problem from the view point of modern science and technology¹⁰ in line with principles of Ijtihad. Some others just analyze the importance of choosing the lunar calendar for Islamic practices¹¹. As scholars attempt to address the problem of moon sighting in different ways, they have difference of opinion. As such, it becomes difficult to come together when it comes to reaching an agreement on the sighting of a new moon. This has been a very big challenge facing

the unity of the Muslim Ummah in Nigeria. This paper identifies with scholars who pay attention to the Qur'anic injunctions on moon sighting and the prophetic instructions and practices on the issue.

RAMADAN FAST AND MUSLIM UNITY IN NIGERIA

Year in year out, Muslims face the problem of not being able to agree on the exact time the new moon appears. As a result of this, they exhibit sharp differences in relation to the day they should start Ramadan fast and/or end it. The analysis directly leads to the conclusion that Nigeria as a whole belongs to one fasting zone and so the problem of location in the world map does not arise¹². The issue has been causing disunity among Muslims in Nigeria as a result of numerous reasons among which are the following:

1. The sectarian Muslim groups and each group claiming that its ideas are right.
2. Some Muslims believing that Sha'ban and Ramadan are permanently twenty nine days in Nigeria as they found their fore-fathers to believe.
3. Some Muslims in Nigeria hold a view that the right criterion of moon sighting is not properly practiced. For example, they say that the identity (names) of the moon-sighters are always hidden, and if it is on something else (worldly affairs), persons' names and addresses will be aired. Why is it not applicable in moon-sighting so that people of their immediate environment can judge and assess them better, on weather or not they are sincere and pious?
4. Muslims of one province in Nigeria do not take into account sighting from other provinces. Some Muslim scholars who are of the view that, once a Muslim state officially declares the sighting of the crescent, then, it becomes binding on all its inhabitants. While for the inhabitants of other places, it is agreed by other Muslim scholars that they should accept and act upon the announcement. Some other Muslim scholars, however are of the view that, areas and countries are only bound to act according to the sighting of a particular country only if they share a common time zone.
5. Some Muslims do not commence or end fasting on hearing the announcement of moon sighting announced by Sultan until they see the crescent themselves.
6. Muslims in Nigeria as a result of the development of sectarianism no longer speak with one voice and agree in a consensus as it was in the practice of the orthodox Islam. Some Muslims who exhibit extremism and fundamentalism are no longer ready to obey any authority that has relationship with the government of Nigeria on such issue as the moon sighting that marks the beginning of Ramadan fast.
7. In the same way, certain people claim leadership positions and authority and care not to consult scholars from various geographical locations in Nigeria before making radio announcements especially those relating to the sighting of the new moon to mark the beginning of Ramadan fast.
8. The apparent rivalry between the science of Mathematics, Astronomy traditional interpretation of the texts of the Hadith
9. The natural phenomenon of the appearance of the crescent any time of the day or night.
10. These and many other issues bring disunity among Muslims in Nigeria. Muslims should bear in mind that Prophetic traditions talking about moon-sighting do not specify that every individual must see the crescent himself/herself before he/she begins or ends fast. Rather reliable witnesses can be relied upon.

This ugly trend has reduced the strength of the Muslim Ummah in Nigeria; Even though, Muslims are said to be in the majority in the country, they appear to be powerless. Moon sighting should be an avenue for the exploration of possibilities for Muslim unity and not the opposite. Sighting of a new moon to mark the beginning of Ramadan fast, for instance, should incorporate the spirit of equality and unity of the Ummah globally, as Muslims world over are expected to observe fasting at the same time. The case of Nigeria should not be exceptional. Moon sighting should therefore not be an avenue for disintegration and disunity in Nigeria.

THE PLACE OF MOON SIGHTING IN ISLAM

Islam as a religion is a comprehensive and complete system of life that does not encourage dogmatism. It does not confine its activities to the man-made calendar alone, but also advocates for sighting of the moon for any Islamic activities. In a lucid manner, moon has remained the most essential agent since its appearance serves as a means to pass messages and information on times of specific events to the worshippers. It determines many key events in a Muslim's life. It is through this that the veneration of Allah, observance of prayers, sacrifices, journey to the house of Allah to perform the Hajj, fasting during the month of Ramadan, women's monthly and confinement periods, the widowhood period and some others are calculated. It is on this note that the activities of Muslims are centered on moon- sighting. Right from the onset, Islam regarded moon as the basis of Muslim's system of computation¹³.

This is because it was the Sunnah of Allah as attested to in the Glorious Qur'an. The Qur'an reiterates the fact that both the sun and the moon are created for the purpose of computation among other things but that preference was given to the lunar system over the solar as a favour from Allah. The following verses of the Qur'an describe the computation purpose of the two as follows:

"The sun and the moon [move] by precise calculation" (Qur'an 55:5);

"It is He who made the sun a shining light and the moon a derived light and determined for it phases - that you may know the number of years and account [of time]. Allah has not created this except in truth. He details the signs for a people who know" (Qur'an; 10:5)

"They ask you, [O Muhammad], about the new moons. Say, 'They are measurements of time for the people and for Hajj'..." (Qur'an; 2:189)

"And the night is another Sign for them. We strip the day from it and they become plunged in darkness. The sun is running its course to its appointed place. That is the ordaining of the All-Mighty, the All-Knowing. We have appointed stages for the moon till it returns in the shape of a dry old branch of palm-tree. Neither does it lie in the sun's power to overtake the moon nor can the night outstrip the day. All glide along, each in its own orbit" (Quran 36:37-40)

"It is He Who causes the dawn to split forth, and has ordained the night for repose, and the sun and the moon for reckoning time. All this is determined by Allah the Almighty, the All-Knowing. It is He Who has made for you the stars that you may follow the right direction in the darkness of the land and the sea. We have indeed spelled out signs for the people who have knowledge" (Quran 6:96-97)

"He it is Who gave the sun radiance and the moon light, and determined the stages (for the waxing and waning) of the moon that you may learn the calculation of years and the reckoning of time. Allah has created all this with a rightful purpose (rather than out of play). He expounds His signs for the people who

know. Surely in the alternation of the night and the day and in all that Allah has created in the heavens and the earth there are signs for the people who seek to avoid (error of outlook and conduct)” (Quran 10:5-6)

Also, the Qur'an stresses the importance of the moon and the sun to the life of mankind. For instance, it says:

“And We created you in pairs. And made your sleep [a means for] rest. And made the night as clothing. And made the day for livelihood. And constructed above you seven strong [heavens]. And made [therein] a burning lamp” (Qur'an 78:8-13).

“And the moon when it becomes full, that you shall assuredly pass on from one stage to another” (Qur'an 84:18-19)

“By the Dawn, And the Ten Nights and the Even and the Odd, And the Night when it moves on to its end, is there not in it a strong evidence for a man of understanding” (Qur'an 89: 1-5)

“By the sun and its growing brightness and by the moon when it follows it (the sun) and by the day when it reveals its glory, and by the night when it draws a veil over it” (Qur'an 91:1-4)

All these verses of the Holy Qur'an are simply and emphatically stressing the high and esteemed position that the moon occupies in Islam. In another place, the Qur'an states thus, “the Sun and the Moon run their Courses according to a fixed reckoning”. (Qur'an 55:5).

The above submissions indicate the importance of the sun and the moon to human life in general. All the calculations of time are based on the appearance of the sun and the moon. These two natural phenomena are moving in their courses as prescribed for them. The sun is moving on the course prescribed for it. While the moon has appointed stages as mentioned earlier and quoted in this verse of the Qur'an:

“And the sun runs [on course] toward its stopping point. That is the determination of the Exalted in Might, the Knowing. And the moon - We have determined for it phases, until it returns [appearing] like the old date stalk” (Qur'an 36:38-39)

The Shari'ah stipulates that a newly born baby should be named on the seventh day¹⁴ (mustahib according to most scholars), Muslims should fast at the appearance of the moon at the beginning of the month of Ramadan and they should equally break it at the appearance of the next moon as stated by the Prophet Muhammad ﷺ in a Hadith¹⁵.

The Iddah of Widowhood which is a waiting period as a result of a husband's death is to be observed for 130 days, i.e 4 months and 10 days. The Iddah of divorce for menstruating women is three cycles. (Qur'an 2:228). All these are based on the moon sighting. Calculations of these periods are only possible through the acquisition of knowledge of moon sighting and its application.

The above Qur'anic verses buttress the fundamental reasons as well as the rationale behind the study of the moon and its inter-connection with religious activities of Muslim, such as performance of Hajj, waiting periods for menstruation, birth and death (of husbands) and abstinence from wives.

The months regarded as sacred are: the months of Muharram, Shawwal, Dhu'l-Qa'dah and Du'l-Hijja (up to the 10th or the 13th) which are set apart for the rites of Hajj. That is to say, the first rites may begin as early as the beginning of Shawwal, with a definite approach to Makkah but the chief rites are concentrated on

the first ten days of Du'l-Hijja, and especially on the 8th, 9th and 10th of that month, when the assembly of pilgrims reaches its height.

The use of the lunar year is beneficial in a lot of ways to man if only people would appreciate it. For example, if you work in an establishment for 35 years you would have lost 3 good years and 2 months in terms of remuneration. Similarly since there is a difference of ten days between the lunar calendar and the solar one, it makes the season of fasting rotational between the 4 seasons of the year whereas if it is based on the solar, some regions of the world will be at disadvantage since the period will be permanently the same every year. Based on this, Islam adopted the more beneficial system and based all issues on it that have to do with calculation of days, months and years like fasting, pilgrimage, 'Iddah etc.

Moon Sighting and the Fast of Ramadan in the Light of Holy Qu'ran and Ahadith

In Islam, fasting is based on moon sighting. This is deduced from the Qur'an, Sunnah and Ijma'. Allah SWT says:

"The month of Ramadan is that in which the Qur'an was revealed, guidance to men and clear proofs of and the distinction, therefore whoever of you is present in the month, he shall fast therein ..." (Qur'an 2: 185)

In hadith of the Prophet ﷺ, Abu Hurayrah R.A. reported that: the Prophet ﷺ said: "when you see the crescent you should fast and when you see it you should break but when the sky is made cloudy over you, you should fast for thirty days" ¹⁶. In another narration: He said: Abu Qasim ﷺ said: "Fast for it, if it is sighted and break if it is sighted but if the sky is made cloudy over you, you should complete the count." ¹⁷ In another hadith, it said that the Prophet ﷺ made mention of Ramadan. He gave examples with his two hands and he said: "The month is like this, like this and like this folding his thumb on the third time. Therefore, fast for sighting it and break for sighting it. But if it is made cloudy on you, you should measure it 30." ¹⁸

In another hadith the Prophet ﷺ is reported to have said that:

When the moon is sighted then fast the month of Ramadan and also when the moon is sighted again then break the fast of Ramadan by observing 'Salat al-Fitr'. But when there is an impediment to the moon then let the month of Sha'ban be counted to 30 days¹⁹.

He is also reported to have said in another hadith, 'There is neither fasting, nor breaking of it, except by the sighting of the moon or counting of Sha'ban till 30 days.'²⁰

On one occasion, a group of companions sighted the moon of Ramadan and they went to inform the Prophet ﷺ that they have sighted the moon of Ramadan. The Prophet ﷺ fasted and he ordered the Muslims to be fasting the month of Ramadan²¹.

In another narration, Ibn Abbas R.A. said: "I am surprised at those who proceed the month by fasting whereas the Apostle of Allah ﷺ said: "When you see the crescent, you should fast and when you see it you should break. But if it is made cloudy on you, you should complete the count 30" ²². In a hadith, "Do not put yourself forward before the month with a day fast or two except where it is about a normal fast you use to fast. Do not fast until you have seen it and then continue to fast until you have seen it"²³

Aisha R.A. said: "The Apostle of Allah ﷺ used to be watchful about Sha'ban, the extent of which he will not for another month. Thus he would fast for sighting (the crescent) of Ramadan and if it is cloudy on him he would count 30 and then fast" ²⁴. It was reported that, the Prophet ﷺ took great care to determine precisely the beginning of Sha'ban, because one can then count twenty nine days and watch for the crescent of Ramadan or complete thirty days before starting to fast. 'Aishah R.A. said: The Prophet ﷺ used to be more concerned about (determining the beginning of) Sha'ban than about other months. Then he used to fast at the sighting of (the crescent of) Ramadan. If it were obscure, he would count thirty days of Sha'ban) and then fast. ²⁵

Based on the foregoing sound narrations, the Islamic guidance on the commencement and termination of fasting of Ramadan is made clear. We can draw the following from the discussion above:

- i. It is only by sighting the crescent of Ramadan upon which Ramadan can have 29 days, otherwise it is 30 days if it is not seen (It is worth noting that the overwhelming majority of scholars unanimously agreed upon using these two principles)
- ii. Termination of Ramadan is based on knowledge of certainty as it is the case with other timely fixed acts of worship
- iii. It is based on clear proofs of certainty which are easily verifiable by both specialists and commoners.
- iv. That it is simple. It cannot be influenced. It is error proof, unlike astronomical calculation which is a specialist area. Its specialists are scarce and its practice is prone to errors (The Shariah in many cases may consider a variety of factors including scientific ones that could have an effect on the ruling. However, the scientific factors may or may not influence the end ruling of the Shariah since in some cases it is totally outweighed by other factors and hikmah of shariah rulings to the degree.)
- v. That it is sensible, clear and practical.

THE REASONS FOR THE DIFFERENCES AMONG MUSLIMS:

The global experience on moon sighting is borne out of the divergent interpretations of the injunctions on moon sighting coupled with the personal opinions and understanding of some individual Muslims on the issue. However, the reasons for the differences could be categorized into the following:

I. TEXTUAL INTERPRETATION

The clause he who witnessed the month among you should start fast as contained in Qur'an: 2:185 is being interpreted by some people to mean witnessing of the month with the naked eyes individually²⁶. In addition, they opined that the Prophet ﷺ commanded fasting and its termination on Muslims on the condition that they sighted it which entails sighting with the naked eyes individually.

Correct Manner of dealing with this issue in the light of Quran, Sunnah and way of Sahaba, in our opinion, is as follows:

The majority of scholars are of the view that sighting the new moon of Ramadaan on the first night of the month is a communal obligation (not a requirement for each individual to do so), but if all the people fail to do it then they are sinning. It is explained Majma' al-Anhaar (1/283): It is a communal obligation for the

people to seek the new moon on the evening of the twenty-ninth of Sha'baan or Ramadaan, and also of Dhu'l-Qa'dah, and it is obligatory for the ruler to enjoin the people to do that.

For individuals, it is considered a mustahab action but if they don't do that, it would mean that they can't start their ramadan or end it. Ulema consider it a mean to avoid disputes as it would yield more testimonies which would add to clarity and help decision making by relevant authorities.

II. DEPENDENCE ON THE PRONOUNCEMENT OF A SHAYKH, AN IMAM OR A LEADER:

Another experience is a situation whereby some people would agree to fast or terminate it only when they hear the pronouncement from their Shaykh, Imam or leader²⁷. They believe that the announcement of the sighting of the moon is a duty bestowed on a leader as exemplified by the Prophet ﷺ in his life time. As a result of the allegiance which they have given to them, they remain loyal and obedient to them in matters of religion. This type of situation often leads to differences between them and those who do not consider it necessary to adhere to the official announcement regarding the commencement and termination of fasting and observance of 'Id al-Fitr.

In the presence of a reliable authority, Islamic government or a central body, it is recommended to go by their decision regarding moon-sighting unless they are violating any clear shariah injunctions (e.g using astronomical information to declare month-ending etc.).

Resident Fatwa Committee from 'Assembly of Muslim Jurists in America' (AMJA) mentions:

"The issue of adopting a moon sighting is a governmental issue in the first place, meaning that the authority or government is the only entity that is capable of settling the dispute, by adopting one stand versus the other. Disagreement with the accepted legal authority is a form of rebellion that is inexplicable. It is the absence of such a counseling or governmental authority that keeps the dispute in the issue dragging. Only such an authority can settle the disagreement and end the debate".

Muslims are encouraged to form bodies which assist finding a unified decision on moon-sighting for a given country (as explained in Fataawa al-Lajnah al-Daa'imah, 10/112).

In a fatwa, Sheikh Saleh Al-Munajjid mentioned:

"If Muslims who live in non-Muslim countries have an Islamic organization or council to whom they can refer and depend on their moon sighting to confirm that the month has begun and ended, then the Standing Committee has issued a fatwa stating that this council comes under the same ruling as an Islamic government for those Muslims, so they must follow them with regard to the beginning and end of the month." (Fatwa no. 50522 on IslamQA)

III. RELIANCE ON THE INTERPRETATION OF SAUDI ARABIA:

The belief that Saudi Arabia is the source of Islam often prompts the credence being given to the moon sighting of the country in the commencement or termination of Ramadan and the observance of 'Id al-Kabir by some Muslims. The announcement of the real sighting they observe should be from the Saudi authorities²⁹. This is also a general experience that cuts across the globe. Consequently, this also results into variance in 'Id celebration among people of the same locality.

Correct Manner of dealing with this issue in the light of Quran, Sunnah and way of Sahaba, in our opinion, is as follows:

Many scholars, including high-rank religious scholars and officials from Saudi Arabia also disagree with the approach of those who consider beginning and ending of ramadan with Saudi Arabia. For instance, **Shaykh Ibn 'Uthaymeen** (may Allaah have mercy on him) was asked about those who call for the ummah to be united in fasting and for the moon sighting to be based on its sighting in Makkah. He, as mentioned in Fataawa Arkaan al-Islam, said:

“This is impossible from an astronomical point of view, because the sighting of the new moon, as Shaykh al-Islam Ibn Taymiyah said, differs, according to the scientists who are well-versed in this field. Because it differs, then each country should have its own ruling, according to the reports and according to science. The evidence from reports is the verse in which Allaah says (interpretation of the meaning): ‘So whoever of you sights (the crescent on the first night of) the month (of Ramadan i.e. is present at his home), he must observe Sawm (fasts) that month’ (Quran 2:185). If it so happens that people in a remote region of the world do not see the new moon whereas the people of Makkah do see it, then how can the words of this verse apply to those who have not seen the new moon? The Prophet (peace and blessings of Allaah be upon him) said: “Fast when you see it and stop fasting when you see it.” (Agreed upon). So if the people of Makkah, for example, see it, then how can we expect the people of Pakistan and countries further east to start fasting, when we know that the new moon has not yet appeared in their region, and the Prophet (peace and blessings of Allaah be upon him) connected the start of fasting to the sighting of the moon? The scientific evidence is the correct analogy which we cannot contradict. We know that dawn appears in eastern regions of the earth before it appears in western regions, so if dawn has appeared in eastern regions, do we have to stop eating even though it is still night where we are? The answer is no. If the sun has set in eastern regions but it is still day where we are, is it permissible for us to break our fast? The answer is no. And the new moon is exactly like the sun, except that the timing of the new moon is monthly and the timing of the sun is daily. The One Who said (interpretation of the meaning): ‘and eat and drink until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night), then complete your Sawm (fast) till the nightfall’ (Quran 2:187) is also the One Who said (interpretation of the meaning): ‘So whoever of you sights (the crescent on the first night of) the month (of Ramadan i.e. is present at his home), he must observe Sawm (fasts) that month’ (Quran 2:185) So the evidence of both the texts and science indicates that we should establish a separate ruling for each place when it comes to starting and ending the fast, and this should be connected to the physical sign which Allaah has described in His Book and which His Prophet Muhammad (peace and blessings of Allaah be upon him) established in his Sunnah, namely the sighting of the moon and the sighting of the sun or dawn.”

Sheikh Ibn Baaz’s opinion in this regard, mention in Al-Baath Al-Islami (Zel-Hijjah 1399 Hijri), is:

“The most trusted and authentic source of Moon sighting for a town is a local one.” Further, he says, “Some people think that the whole world should follow the Moon sighting of Mecca, Saudi Arabia and make it the base of their Ramadan and Eid judgment. However, in the pure form of Shariah, there is neither any proof of it, nor is there any origin to this.”

Similar views were established from the statement issued by **The Council of Senior Scholars**.

However, an exception to above is the case is countries where there is no Muslim authority or body to conclusively decide about starting and ending of ramadan.

Association of Mulims Jurists in America (AMJA) mentions their approach regarding situations where there is no authority or designated body to decide moon-sighting:

“And due to the lack of such an authority, it became prudent upon AMJA to adopt the ruling of Ittihad-ul-Matali`. Whenever the new Ramadan moon is sighted in a country or locality and the sighting was consequently adopted by that country, it becomes mandatory to start the fasting in all countries that share at least a part of the night with the sighting country. Unless of course that the country that is adopting the sighting has been known to go against the consensus of the Ummah for its own political Agenda. This is the easiest to implement and most correct methodology to adopt for Muslims living in the west. A direct contact should be established with the scholars in charge of adopting the Fatwa in that country to verify their acceptance of the sighting”.

Sheikh Saleh Al-Munajjid also explains in a Fatwa in relation to Muslims living in country where there is no designated body to decide moon-sighting:

“If they do not have an Islamic organization, there is no sin on them if they follow a country that they trust, which follows the moonsighting according to sharee’ah, not astronomical calculations, so they start and end the fast with that country” (Fatwa no. 50522 on IslamQA).

iv. Reliance on Astronomy:

Some scholars are of the view that that since among the essence of the creation of the moon and the sun is to enable man to know how to count his days, months and years as illustrated in the Glorious Qur’an 10:5, the knowledge of Astronomy, which entails studying the movement of these heavenly bodies, should be relied on in ascertaining the date of the commencement and termination of Ramadan. They argue that since with the aid of this knowledge, the exact day of the emergence of the crescent could be known, it should be relied on irrespective of whether the moon is sighted with eyes or not. Very close to this is the view of those who maintain that the knowledge of Astronomy should be used only to confirm moon sighting by naked eyes or to negate wrong sighting²⁹.

According to astronomical explanations, at the end of the month when the Moon is waning, the time between the disappearance and appearance of the Moon by the horizon is called “Muhaaq” or the Unseen Time. During this phase, the Sun and the Moon are at approximately the same level on the horizon. Due to this, the Moon’s visibility is drowned by the Sun’s light. In result, the Moon is invisible. The period of “Muhaaq” ranges from 36 to 50 hours. However, after this phase, the Moon enters the New Moon period and emerges from the horizon (and the vicinity of the Sun). Afterwards, in the waxing phase, when the Moon is 12° (degrees) from the Sun, it becomes visible to the unaided eye.

Now take the words of Hadith which says, “Start fast with the appearance of Moon and end fast with the appearance of the Moon.” This clearly points to the principles of “Muhaaq” (when the Moon is invisible). Since the New Moon comes after completing its phase of “Muhaaq”, there is a possibility of it being seen on the horizon. This is why Islamic Shariah does not recognize the birth of the Moon in blindness; rather it considers *its appearance* on the horizon. The ruling of Shariah applies to the observance of the Moon. Only upon visibility does the month start, not before the appearance on the horizon.

This issue has been discussed at length further on in this paper.

v. Reliance on Local Sighting by people of each Locality:

Some scholars opine that people of each locality are to rely on their own sighting as demonstrated by Ibn 'Abbas R.A. in his life time. Ibn Abbas, they contend, actually agreed that the moon was sighted on Friday in Syria and people complied by commencing fasting while in Madina the moon was sighted on Saturday and people commenced fasting based on this. They further maintain that Ibn 'Abbas R.A. did not negate the local sighting of Syria and he also upheld the sighting of Madina both as independent of each other. However, they argue that Ibn 'Abbas conclusively affirmed saying "this is what the Prophet ﷺ had commanded us to do"³⁰. What then was that commandment of the Prophet? All the ahadith on fasting are more or less instructing Muslims to commence fasting of Ramadan with the sighting of the crescent or to complete it (the month of Sha'ban or Ramadan) to be 30, if the cloudy nature of the sky prevents its sighting. In Madinah, according to the interpretation of these scholars, the cloud had prevented them from seeing the crescent and they had completed the counting of Sha'ban to be 30 before commencing fasting as instructed by the Prophet ﷺ while in Syria, they were able to see the moon and commenced Ramadan. With the prevalence of upholders of this view, there emerge another group of people in the society.

Correct Manner of dealing with this issue in the light of Quran, Sunnah and way of Sahaba, in our opinion, is what has already been explained under point number III above.

vi. Interpretation of the Prophetic Traditions for a Unified Moon Sighting Globally:

While some scholars believe in the adoption of local sighting by each region, some others differ as they uphold the need for a unified sighting by the entire Muslim countries. They argue that it is incumbent on all Muslim countries globally to adopt the local sighting of the moon of Ramadan or Shawwal sighted in any of the Muslim countries. Some proponents of this view further stress that it is the responsibility of each Muslim country and Islamic organisation to arrange for the search for the crescent of Ramadan and to communicate it to the whole Muslim world when sighted for its adoption³¹.

Correct Manner of dealing with this issue in the light of Quran, Sunnah and way of Sahaba, in our opinion, is what has already been explained under point number III above.

In addition to that, we should know that Ibn Rushd maintains that this could be adopted if there is not much difference between such places but if they differ, they can be attributed to different time zones and stand on independent sighting³². The Hanifites, Hambalites and Malikites, on the other hand, are of the view that the time difference is immaterial and, as such, the moment the moon has been sighted by the people of a given country, it becomes compulsory on all other Muslim countries to adopt it. This, they say, is nothing but compliance with the prophetic tradition which says you start fasting for its sighting and stop fasting for its sighting. The Hadith, according to them, is a general statement being addressed to the generality of the Muslims. The implication in it is that whoever sights it should communicate it to others so that its application could take immediate effect³².

A third opinion (i.e. different from global sighting and local sighting) is also considered applicable by some scholars in some conditions. It includes basing decision on what majority says provided majority is basing their decision using correct shariah methods of decision-making. The Prophet ﷺ, peace be upon him, said: 'Fast when they fast and stop fasting when they stop, and sacrifice they day they sacrifice.' Imam al-Tirmidhi says after relating this hadith: 'Some of the scholars explain that this hadith means: to fast and break fast along with the congregation and the majority of people (Jami' al-Tirmidhi [Riyadh: Dar al-Salam, 1999], 178; n.697). Sheikh Hatim Al-Hajj favoured the majoritarian opinion in some of his TV programs

(Moon Sighting Debate on Islam TV UK). If Muslims in Kenya cannot unite on either local sighting or global sighting, this can be a third option which can be assessed on fiqhi grounds and adopted if considered applicable.

CLARIFICATION REGARDING SOME COMMON ISSUES:

How many witnesses are required to establish the Sighting?

The scholars agree that two trustworthy Muslim witnesses are sufficient to establish moon-sighting. This is based on reports by a number of the Companions that the Messenger ﷺ said: "If two just Muslim witnesses testify (that they saw it) then fast or break your fast.." ³⁴

However, even if there was only one trustworthy witness to the sighting, that will still be accepted as a basis for determining the beginning of the Month. The basis for this is that Ibn 'Umar (RA) said: "People were looking out for the crescent (of Ramadan). I informed the Prophet that I saw it. So he fasted (on the following day) and ordered people to fast". ³⁵

Also, a hadith from Abi Dawud (no. 2334) forms the basis for this:

Once the people doubted the appearance of the moon of Ramadan, and intended neither to offer the tarawih prayer nor to keep fast. A bedouin came from al-Harrah and testified that he had sighted the moon. He was brought to the Prophet ﷺ. He asked: Do you testify that there is no god but Allah, and that I am the Apostle of Allah? He said: Yes; and he testified that he had sighted the moon. He commanded Bilal who announced to the people to offer the tarawih prayer and to keep fast.

However, it is to be noted that this single testimony was accepted in the situation of doubt and that is why scholars have difference of opinion in this regard. It should be kept in mind that there are numerous athar (textual evidences) which suggest, in many cases, that more than one opinion can be correct e.g. praying athar prayer at different times when Prophet ﷺ instructed the prayer to be offered after reaching certain location, offering prayers in different directions based on best estimates, re-offering or not offering prayer offered after doing tayamum when the water became available within the time for salah etc. (further details on this are beyond the scope of current paper). We should therefore respect the opinions of Mujtahid Imams as they have strong basis for their opinions depending on particular basis of their jurisprudence (Usool al Fiqh).

Why can't we use Astronomical Evidence and end the squabble?

Some people suggest using astronomical computations either exclusively or partially for determining the visibility and preciseness of crescent sightings. This is not a new suggestion, as it was raised at the earliest times of Islam and the Prophet ﷺ rejected it. Ibn. Umar (RA) reported that the Prophet said: "We are an illiterate nation. We do not use astronomical writing or computation (in our fasting). A month is so and so and so (and he pointed with his hands three times, folding the thumb on the third time, meaning twenty nine days) or so and so and so (and he pointed with his hands three times, meaning thirty days)." ³⁶

Abu Dawud's narration adds: "Thus Ibn 'Umar used to end his fasting with the rest of people without relying on those computations" ³⁷. This shows that the Prophet wanted to keep this worship simple and at the level of common people, away from the influence or control of specialized scientific knowledge (whether sound or doubtful).

Ibn Taymiyyah said that the description of this nation here as being illiterate is praise in that it is independent of any complicated means in performing its basic worships. Anyone who rejects this would indeed overstep the *ijma'* (consensus) of the worthy 'Ulama, would be attempting to spoil the beauty and simplicity of this religion, and, worst of all, would be bluntly disobeying the Messenger ﷺ.

We can also say that we have two types of months:

- the first is the month with a legal value in shariah, which is known as Ramadan and
- the second is the astronomical (scientific) one, which is the 9th month of the lunar calendar.

All Islamic rulings are based upon the first month which may or may not coincide with the astronomical month. The latter has no significance in the eyes of the Shariah and hence no Islamic rulings are based on it. This means that we are dealing with two different spheres that have no connection with each other; the sphere which is defined by the Shariah and that which is defined by astronomy.

Therefore, once the sighting of the moon is confirmed and accepted by the leader of Muslims or by the majority of Muslims then there is no need to investigate further let alone claim that the sighting was invalid or not possible due to astronomical calculations (as the astronomical facts are dealing with a different type of month which is different from the one which governs the timings of certain acts of worship. Our month or field of discussion is something else). We are not denying the astronomical facts, rather we are not fasting the astronomical month. If we come to know for a fact that we started fasting Ramadan on a day which was different from the astronomical calculation, then that will have no effect at all on our fasting. This is a fundamental line of reasoning that many people have ignored or are unaware of. It sets aside the following oft-quoted principle, which although correct is not applicable here: many proponents who favour considering astronomical calculations state that a person's account of having sighted the moon is speculative [*zanni*] whereas astronomical calculations are definitive [*qat'i*] and the Shariah gives credence to the definitive over the speculative. As stated however, even if we, for the sake of argument, 'accept' the calculations as being definitive (ignoring the differences within astronomers themselves), the point is that the Shariah did not consider scientific and astronomical calculations as determining factors in the first place with regard to the sighting of the moon.

The Prophet's instruction to complete the thirty days of Sha'ban when the moon is not able to be sighted lends further support to this reasoning of differentiating the Islamic month of Ramadan from the astronomical month; the famous scholar, Ibn Hajar, said, 'This (completing thirty days of Sha'ban) is an indication that we should not refer to calculations or astronomy. The Prophet ﷺ guided us to completing thirty days while he could have guided us to consider other means that enable us to know the beginning of the astronomical month'.

We can also look at this issue from another angle which is explained as follows.

Some modern voices argue that since pre-modern Muslims just did not have access to the precise moon sighting calculations we have today, we shouldn't be held hostage to their scientific limitations, upon which their medieval fatwas rested? This opinion is in stark contradiction to key facts and fiqh in this regard. While it is true they didn't have the algorithmic computations we have today, the Muslim world of old was certainly not "backward" or scientifically-stunted in terms of moon calculations. On the contrary, astronomers (and scholars who were learned in astronomy) held public offices throughout Muslim lands,

producing highly complex and impressive computations, charts and almanacs for lunar sightings and visibilities. This is attested to by both modern Muslim as well as non-Muslim specialists in the field. Yet despite this, the near totally of jurists still insisted on sighting the moon as a textually-stipulated duty. Why? Because sighting is the actual legal rational, or 'illah, for commencing the month. In fact, the Hanbali scholar Ibn Hubayrah, and another of the school's masters, Ibn Taymiyyah, as well as the Maliki legalist al-Qarafi, all cite a unanimous agreement of the Salaf and the Four Schools on not using calculations – regardless of how accurate they may be. Mufti Muhammad Shafi explains this aspect in his book 'Royat e Hilal' (Printed by Idara Al Ma'arif Karachi, Pakistan in 2001) that requirement for moon-sighting (rather than reliance on Astronomical calculations, which Mufti Shafi R.A. explains, could be done in that time as well) was not due to inability for people of that time to perform such calculation or due to unawareness that such calculations could be done in future, rather this requirement was put forward in line with Islam's global nature and it had to be spread to those areas as well where astronomical equipment was not available (and still isn't). Islam is global and is for every area and community, irrespective of how advanced or remote they are. Even if performing such computations would have been declared 'mustahib' (preferred), let alone wajib, Mufti Shafi argues that benefit of this would have been acquired by only capable to do while leaving others incapable to gain associated reward. This is against the very nature of shariah.

Another mistaken notion embedded in the above voices is the claim that we moderns have now got moon visibility calculations down to a tee; and that is simply not true. It appears that two distinct lunar events are being conflated here: the moon's birth or conjunction (where the earth, moon and sun, in that order, are in roughly the same line), and the moon's visibility from the earth. The first can be calculated as a matter of fact; the second, only as a matter of prediction – even if such predictions are highly accurate. That is to say, astronomers can calculate the positions of the sun, moon and earth, relative to one another, down to a dot, and can hence determine with pinpoint accuracy the new moon's birth. Such unquestionable precision is not the case when it comes to calculating the new moon's actual visibility from here on earth. To put it in Islamic legal jargon, calculating the new moon's conjunction is qat'i, certain, beyond doubt; calculating its visibility from the earth, zanni: [highly] probable. For there is no one specific formula for determining the visibility of the new young moon. Instead, it rests on several factors: the moon's path across the sky (angle of ecliptic), how much dust or pollution there is in the sky, and even the sharpness of the observer's eyesight. In cases where the moon's path doesn't run parallel to the horizon, but rather at right angles to it, the young moon may be spotted as little as 24 hours after it was new. If it does, then at least 36 hours.

Since new moon [conjunction] calculations are incredibly accurate, some argue that they can and should be used to aid and narrow the scope of visibility forecasts, as well as rule out any negative moon sightings. Which means that any claims of spotting the young [crescent] moon from earth before conjunction occurs, or before it is physically possible to see (such as when the moon sets before the sun does), will be ruled out and considered invalid. Only those sighting will be accepted that fall within the scope of astronomical calculations.

How to be sure that the Moon was really sighted?

This is a very common question. Some would even add a quip: may be what they saw wasn't a moon after all. Underlying this question are genuine concerns and fears that we may be fasting on wrong days. Thus, according to them, there is a need to make our utmost best to confirm the testimonies of those who claim moon sighting by astronomical evidence and other means.

Shariah has stipulated ways to confirm this in certain ways and anything beyond that is needless and rejected in Islam on-several accounts.

- the person giving the testimony has to be just (Aadil) and not a transgressor (fasiq). (Sheikh 'Abd al-Haq Muhaddith-e-Dehlwi states: It has been proven from the Hadith that a person who is mastur-ul-Hal i.e. whose being a fasiq is not apparent, then his report or testimony is accepted for the beginning of the month of Ramadan)
- Person giving the testimony has to be an adult and sane. The testimony would not be accepted from a visually impaired person who cannot see the moon.
- When the sky is not clear, testimony from a single person is acceptable
- When the sky is clear, generally more number of witnesses are required, according to most scholars
- Use of telescopes and devices that accelerate the sighting are allowed as the end-result is the actual sighting (Replying to a question on this aspect, Sheikh Ashraf Ali Thanawi (R.A) writes in Imdad ul Fatawa,"telescope is an instrument which only accelerates the eyesight. There is no separate Shari'ah verdict for this; rather the same is to be applied to this which is for viewing the moon without it. Therefore sighting the Moon with a telescope is right and authentic")
- 'News' is not considered as a proof for moon-sighting unless backed up by testimonies
- Letters are not considered as a proof'
- Qazi is not required to probe the one inquisitively who deposes to having seen the moon like "from where did you see the moon and where and at what height did it appear". However, witness can be examined thoroughly if his statement is dubious
- Scholars have mentioned 7 methods for establishing sighting of moon which are trusted in shariah³⁸.
 - Sef-evidence i.e. the evidence of the one who himself saw the moon.
 - "Shahaadat 'Alash Shahaadah" i.e. the witnesses did not see the moon themselves but someone (s) else saw the moon who deposed before them to having seen the moon and made them witness to their evidences and thus the witnesses gave evidence of the evidences. This condition is applicable to the case where the real witnesses are unable to give personal evidence.
 - "Shahaadat 'Alal Qadaa" i.e. some people deposed before a Muslim ruler in other city,town to having seen the moon who declared that the moon has been sighted and two honest and pious persons (witnesses) who were then present there appeared before the Qaadi,Qaazi of other city,town and gave evidence on the order of the Qaadi.
 - "Kitaabul Qaadee Hal Qaadee" i.e. "Qaadi-e-Shar'a" whom a Muslim ruler has appointed, detailed to decide law suits under Islamic law, communicates evidences (concerning the sighting of the moon) to the Qaadi of other city,town in a Shar'ee way.
 - "Istifaadah" i.e. a number of groups of people came in from a Muslim city and all of them told, to the best of their knowledge, that fast was observed or Eid celebrated on such-and-such day on the sighting of the moon.
 - "Ikmaal-e-Muddat" i.e. after completion of 30 days of a month the moon of the other is automatically proved, for, the Islamic month does not exceed thirty days.
 - Hearing of announcement from relevant authority (for general public)

It is important to note that astronomical information without actual sighting is not a binding evidence, however, use of technology and astronomical information to aid moon-sighting is permitted. Such uses may include the following:

- To help the man who is sighting the moon to divert his attention towards the direction that is identified by the technology at most suitable times. This help can even compensate the lack of experience of a man in moon sighting and enables him to fix his eyes on a right place.
- To identify the places where there is enough possibility of moon sighting so that the Government/ moon-sighting authority/ Ulema of an area (where a designated authority is not available) may know as to from where better evidences can be obtained.
- For each Moon sighting the variations of the atmosphere may be noted so that it is clarified as to which places are unified and which are diversified in relation to their atmosphere (because the ordinary and major difference in the variation of atmosphere lays great effect on the moon sighting)
- If a Qazi is doubtful about the claim of a person, he has the right to inquire further. Astronomical information may be used to check the claim, if situation demands this in accordance with shariah rulings.

Considering practices related to moon sighting from other place, It is worth-noting that The Islamic Shura Council of North America (ISCNA), in consultation with the Fiqh Council of North America, has adopted the position that a confirmed crescent sighting report in North America will be accepted as long as such a report does not contradict indisputable astronomical information. ISCNA comprises the four major Islamic organizations in the U.S.: the Islamic Circle of North America (ICNA), Islamic Society of North America (ISNA), the Ministry of W. Deen Mohammad, and Community of Imam Jamil al-Amin). The Fiqh Council viewpoint is also supported by the research done by renowned scholars such as Dr. Yousuf Al-Qaradawi and Shaikh Mustafa Al-Zarqa. Similar approach in case of Nigeria may be helpful as well.

Any means to verify correctness of testimony other than above is not acceptable as:

- a. It involves casting doubts about the truthfulness of just Muslims. This is forbidden in the texts of the Qur'an and the Sunnah.
- b. It conflicts with the practice of the Prophet ﷺ who accepted the sighting of people without delay and without comparing it with astronomical evidence.
- c. It resembles the behaviour of the previous nations who tightened the Laws on themselves; and Allah punished them by making them even tighter. The Prophet ﷺ said: "Beware of (going to the extreme of) over-exaggeration in religion. Indeed, those before you were destroyed because of their over- exaggeration in religion" ³⁹.
- d. It shows ignorance of when an Islamic month really begins. This point is explained by Ibn Taymiyyah: "Many people think that once the new moon rises in the skies, that night would be the first of the month, regardless of whether people see it or not. This is not correct! It should appear to people and they should see it to start a month. That is why the Prophet ﷺ said: "True fasting starts on the day that you start fasting ..." Which means: this is the day that you know it as being the time to fast, etc. If you did not know it, then it would carry no value for you." ⁴⁰

This view is further clarified by this narration. Abu al-Bukhturi said:

AbulBakhtari reported: We went out to perform Umrah and when we encamped in the valley of Nakhlah, we tried to see the new moon. Some of the people said: It was three nights old, and others (said) that it was two nights old. We then met Ibn Abbas and told him we had seen the new moon, but that some of the people said it was three nights old and others that it was two nights old. He asked on which night we had seen it; and when we told him we had seen it on such and such night, he said the Prophet of Allah (peace_be_upon_him) had said Verily Allah deferred it till the time it is seen, so it is to be reckoned from the night you saw it.⁴¹

What if those who claim to have sighted the Moon were lying after all or have erred?

As explained before, as long as they are apparently acceptable and trustworthy Muslims then we must follow their testimony and fast (or end the fasting). We have absolutely no right to reject that without a definite proof (applying means which conform with the Sunnah, as outlined above). If they happen to be indeed lying then the sin will be theirs only, and we would still be rewarded for sticking to the Sunnah⁴².

THE WAY FORWARD

Islam is a global religion covering all continents, nations, race, tribes, and the world of Jinn and mankind of whatever position or status. Allah SWT says: "And We have not sent you except comprehensively to mankind as a bringer of good tidings and a warner. But most of the people do not know" (Qur'an, 34:28). This verse therefore informs Muslims that Prophet was sent to the entire mankind to teach them one thing (Islam) regardless of geographical location and cultural differences. It is also to carry to them on worshipping one Allah with monotheistic belief affecting not only institution of Sawm but all aspects of Ibadah, for instance, Salat, Hajj, Mu'amalat etc. This is a clear proof for Muslims to stay as one body sharing same ideas towards achieving objectives of shariah from all aspects of life. Allah SWT says, "And hold firmly to the rope of Allah all together and do not become divided. And remember the favor of Allah upon you - when you were enemies and He brought your hearts together and you became, by His favor, brothers. And you were on the edge of a pit of the Fire, and He saved you from it. Thus does Allah make clear to you His verses that you may be guided" (Qur'an, 3:103). In another verse Allah says: "The believers are but brethren, therefore make peace between your brethren and be careful of (your duty to) Allah that mercy may be had on you." (Qur'an, 49:10)

Prophet ﷺ is reported to have said, "Muslims are like a building one strengthens the other"⁴³. He ﷺ also said, "a true Muslim is he who is free from bad speech and bad actions"⁴⁴. Above verses and ahadith call for unity of Muslims in all endeavours of life, not only in moon sighting of Sha'ban, Ramadan, Dhu'1-Qi'da, Dhu'l-Hijja etc. but also all other controversies hindering unity of Muslims in Nigeria and elsewhere that can be easily resolved through the understanding of these verses, relevant ahadith and matters of fiqh associated with moon-sighting.

Following is a summary of recommendations in this regard:

- Muslims in Nigeria today need to redefine their focus on matters that involve broader population (such as dawah methodology, moon-sighting etc.) so as to be generally more accommodating. There should be tolerance among the Muslims for difference of opinion as long as correct methodology for ijtihad is adopted (if it is not then we can clarify this in a dignified and appropriate manner), especially the scholars, so that in an important issue like moon sighting, different views

will be heard and a consensus be reached regarding the sighting of a new moon for the commencement of Ramadan fast and breaking it as the case may be.

- Furthermore, Muslims in Nigeria, especially the scholars and leaders, should imbibe the spirit of truthfulness and sincerity in their activities. A Muslim in a position of authority should not use his position according to his whims and caprices without taking into consideration the truth of the matter.
- There is a need for cordial relationship between the Supreme Council for Islamic Affairs and League of Imam and Alfas from the southern part of Nigeria. One governing body should be formed from these and other organizations, including government representations, scholars, astronomers and members of public. Rather than parallel announcements, single announcement should be made from this body. It is understood that this would involve a lot of background work to reach to consensus regarding fiqh matters (number of witnesses required in different situations, Ittihad Al-Matali or Ikhtilaf al-Matali etc.) followed for moon-sighting.
- Furthermore, Muslim leaders should be careful with the issue of international politics. The Sultan needs to carry along particularly the leadership of the League of Imams and Alfas in the southern part of Nigeria which apparently serves as a parallel organization. This is with a view to complementing the concerted efforts of prominent Islamic scholars towards Nigerian Muslim unity⁴⁵.
- Those in authority especially in the Supreme Council for Islamic Affairs in Nigeria should adopt the style of consultation on important matters such as moon sighting so as to consolidate the unity of the Muslims in Nigeria instead of being a threat to the unity, as it is today. Unity is of course not uniformity in the sense that unity is not about doing everything the same way or removing one's freedom to differ in matters that are not decisive (qat'i) or due to differences in understanding or one's particular circumstances. Rather, unity may be better conceived as a state of being in actively discharging one's duty (legal, spiritual, and humanitarian) towards others and loving for others what one loves for oneself. Moreover, the tendency to demand that others unite on one's own terms overlooks the fact that the very nature of unity, particularly on a communal matter, requires a willingness to put aside one's own views for the greater public interest and well-being (maslaha mursalah). Also, there is no reason to fear reputational damage in choosing to change. Change does not imply that previous decisions were wrong.
- Relevant stakeholders should be involved to form a unified national strategy for dealing with the matter of moon-sighting. Dr. Mamun Khan presents following guidelines with regards to stakeholder involvement in his decisive paper related to moon-sighting:
 - Identify key stakeholders and involve them in a process of consultation (shura) as partners responsible for overcoming challenges of the local community.
 - Carryout the necessary background work to identify those stakeholders more likely to be sympathetic and build a baseline consensus first before embarking on a wider consultation process.
 - Focus on:
 - a) clarifying the benefits of a unified approach to Moon sighting;
 - b) bringing about a more academic understanding of the relative merits of the options; and
 - c) building awareness of the damaging consequences of division or inaction.
 - Maintain an ongoing, transparent, engaging dialogue between stakeholders. Use encouragement and honest appreciation.

- Understand and empathise with the sensitives of stakeholders.
- Maintain professionalism at all times – present facts on the science of Moon sighting, avoid stigmatising or maligning any individual, group or mosque.
- Maintain Prophetic adab at all times, showing due warmth and respect to stakeholders, e.g. refrain from making derogatory/demeaning comments on matters related to Moon sighting or otherwise. Ask questions instead of giving direct orders.
- In the same way, certain Muslim groups should avoid blunt refusal to follow a Muslim leader on the claim of their group's decision not to accept or respect the authority of any leader apart from the leader of their group.
- Muslims of Nigeria should adopt local naked-eye sighting keeping to the Sunnah and the fataawa of expert scholars in the field. If a trustworthy Muslim from any where in the country (same time-zone), regardless of tribal difference, could see the moon physically and he is not a known faasiq, then, such sighting should be accepted by all Muslims in Nigeria. If this is done, the issue of Muslims celebrating 'Id on two different days, or one group of Muslims looking down at another or arguing with one another will be an event of history thus unity among Muslims in Nigeria will be restored.
- The official calendar makers should involve personnel from all crannies of the country and strive hard to unify the Islamic dates with a view to minimizing the differences likely to be found in their different calendars.
- Nigerian Muslims should bear in mind that, these issues of differences or controversies over moon-sighting should not cause hatred and disunity among Muslims, rather, each side is ought to listen to another and try to see if both can change position as a result of new information that may come their way.
- The general secretary of the Supreme Council of Kenya Muslim, Abdul-Latif Shaaban, calls for a consensus forum of Muslim scholars to determine when to start and end Ramadhan:"We tried to bring them together sometimes back but they did not agree as everyone stuck to his own opinion and did not want to compromise. But I think it is important to sit down and discuss this matter. The difference is affecting Muslims as some don't know whom to follow."⁴⁷.
- Abdul-Jabber Ishaq, a kadhi at the Kibera Magistrate Court, says that the Chief Kadhi's announcement has been an agreed custom in Nigeria which united Muslims, "but as it stands now, time has changed and it should be enshrined in the constitution for it to have an impact." He further says that a consensus committee (Shura) comprising scholars from all corners of the country should be formed to deliberate and agree on the dates".⁴⁸
- Community should make efforts to increase awareness about issues related to moon-sighting and relevant matters of fiqh (including various opinions which are based on legitimate grounds and need to be respected). This increase awareness would also help Muslims understand the opinions and methods that do not have foundations and roots from Shariah.

A Muslim in Nigeria, being a southerner, easterner, northerner or wherever he/she is, should bear in mind that, Muslim is a vicegerent of Allah on earth, and returning to the Creator (Allah) is certain. So, we should fear Allah and stick to the teachings of Islam and avoid using personal interest in any affair of religion.

The tradition of some Scholars especially in the South Western States of Nigeria for coming together to fix a date for the commencement of Ramadan fast, whether the moon is sighted or not, has no place in the dictates of Islam.

From the foregoing, one could deduce that there are possibilities for eradicating disharmony and disunity of the Muslim Ummah in Nigeria if all these suggestions are put into consideration, moon sighting will turn to be a tool for the unity of the Muslims rather than threatening it.

CONCLUSION

The paper revealed that, the ideal moon sighting for the commencement and breaking of Ramadan fast should not have been a bone of contention among Muslims in Nigeria, if the Sunnah of the Prophet ﷺ as strictly adopted by the Sahabah is adhered to. Also, the Muslim world, from the time of Prophet Muhammad ﷺ, places a high premium on moon sighting to determine the timing of the beginning and the end of Ramadan which are observed at the same time throughout the Muslim world thereby creating a sense of unity of the Muslim Ummah globally. The paper observed that there is a need for a serious attempt to find a lasting solution to the problem of differences in the beginning and ending of Ramadan fast, for it may in turn have an adverse effect on the consolidation of Muslim unity in Nigeria. It also recommended that, if a trustworthy Muslim from any where in the country, regardless of tribal difference, could see the moon physically, then, such sighting should be accepted by all Muslims in Nigeria. If this is done, the issue of Muslims celebrating 'Id on two different days, or one group of Muslims looking down at another or arguing with one another will be an event of history thus unity among Muslims in Nigeria will be restored. It was concluded that one could deduce that there are possibilities for eradicating disharmony and disunity of the Muslim Ummah in Nigeria if all these suggestions are put into consideration, moon sighting will turn to be a tool for the unity of the Muslims rather than threatening it.

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